

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Patricia Deckert,

Debtor.

Case No. 17-73820-ast
Chapter 13

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**ORDER MODIFYING AND
TERMINATING THE AUTOMATIC STAY**

Upon the Motion (the “Motion”), dated February 1, 2018, of Selene Finance LP as servicer for NJCC-NYS CRF REO Subsidiary LLC, successor in interest to Federal National Mortgage Association (“Fannie Mae”) (the “Movant”), through its attorneys, Friedman Vartolo, LLP, for relief from the automatic stay; and

On May 29, 2018, the Agreed Order Conditionally Granting Relief from Stay as to the property located at 363 Old Country Road, Melville, NY 11747 was signed by the Hon. Alan S. Trust (the “Conditional Order”) [dkt item 31]; and

The Debtor having defaulted in making the required payments pursuant to the terms of the Conditional Order; and

On August 12, 2019, a Notice to Cure having been issued and served by Movant pursuant to the terms of the Conditional Order; and

The Debtor having failed to timely cure the default set forth in the Notice to Cure; and

Upon the Affirmation of Non-Compliance filed on October 25, 2019 [dkt item 34]; accordingly, it is hereby

ORDERED, that the Motion is granted and the automatic stay in effect pursuant to 11 U.S.C. §§ 362(a) and 1301(a) is terminated to allow Movant, its successors and/or assigns, to

pursue any and all action and to exercise its remedies as to the property known as 363 Old Country Road, Melville, NY 11747; and it is further

ORDERED, that in the event this case is converted to a case under any other chapter of the U.S. Bankruptcy Code, this Order will remain in full force and effect; and it is further

ORDERED that the Chapter 13 Trustee shall be served with a copy of the referee's report of sale within **thirty (30) days** of the report, and shall be noticed with any surplus monies realized from the sale of the Collateral.

Dated: November 13, 2019
Central Islip, New York





Alan S. Trust
United States Bankruptcy Judge